



Practitioner's Docket No. 116762.00029

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey A. Mitcheltree

Application No.: 10/695,662 Group No.: 3723
Filed: 10/28/03 Examiner: Not Assigned
For: IMPACT CAP FOR PRY BAR AND METHOD FOR PRODUCING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY
(37 C.F.R. § 1.28(c))

Erroneous Filing of Small Entity Statement

1. On October 23, 2003, a small entity assertion was erroneously filed in this application.
2. This assertion of small entity status in this application and the payment of fee(s) as a small entity was/were made in good faith.
3. It has now been discovered that such status as a small entity was established in error.

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02/07/2005 DALLEN 00000053 150450 10695662
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CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*
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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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Date: January 28, 2005

Signature

Robert J. Clark

(type or print name of person certifying)

* Only the date of filing (1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.



Itemization of the Fee(s) Erroneously Paid as Small Entity

4.

<u>FEE(S) ERRONEOUSLY PAID AS A SMALL ENTITY</u>	<u>FEE ACTUALLY PAID AS A SMALL ENTITY</u>	<u>DEFICIENCY OWED</u>
Filing fee paid on March 25, 2004.	\$385.00	\$385.00
Other: Surcharge paid on March 25, 2004.	\$65.00	\$65.00
Total deficiency owed		\$450.00

Payment of Deficiency

5. The total deficiency owed is paid as follows:

Authorization is hereby made to charge the amount of \$450.00 to Deposit Account No. 15-0450.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: January 28, 2005

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Customer No.: 021324

Signature of Practitioner
Robert J. Clark
Hahn Loeser & Parks, LLP
One GOJO Plaza
Suite 300
Akron, OH 44311-1076